

To: Utting, George[Utting.George@epa.gov]
From: Kloss, Christopher
Sent: Wed 5/31/2017 1:58:30 PM
Subject: RE: Reqeust to Stay MA MS4 General Permit appeal

Not yet, but only because I haven't had a chance to touch base with him since yesterday afternoon.

Chris Kloss

US EPA Office of Water

Municipal Branch – Water Permits Division

202.564.1438 | kloss.christopher@epa.gov

From: Utting, George
Sent: Wednesday, May 31, 2017 9:57 AM
To: Kloss, Christopher <Kloss.Christopher@epa.gov>
Subject: RE: Reqeust to Stay MA MS4 General Permit appeal

Hi Chris. Is Greg tuned in to this situation?

George Utting
Water Permits Division (MC-4203M)
U.S. EPA, 1200 Pennsylvania Avenue, NW,
Washington,DC 20460-0001
(202) 564-0744 / Fax (202) 564-6384

From: Kloss, Christopher
Sent: Wednesday, May 31, 2017 9:53 AM
To: Webster, David <Webster.David@epa.gov>; Nagle, Deborah <Nagle.Deborah@epa.gov>
Cc: Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>; Flannery-Keith, Erin <Flannery-Keith.Erin@epa.gov>; Ford, Peter <Ford.Peter@epa.gov>; Moraff, Kenneth <Moraff.Ken@epa.gov>; Hamjian, Lynne <Hamjian.Lynne@epa.gov>; Johnson, Arthur <Johnson.Arthur@epa.gov>; Utting, George <Utting.George@epa.gov>; Dierker, Carl <Dierker.Carl@epa.gov>; Urban, Rachel <Urban.Rachel@epa.gov>
Subject: RE: Reqeust to Stay MA MS4 General Permit appeal

Hey Dave,

Hope that you have been well. Thanks for the email and details. Pete gave me a call yesterday and Deborah, Rachel and I are looped in and will be participating in the upcoming meetings. Look forward to the upcoming discussions.

Chris

Chris Kloss

US EPA Office of Water

Municipal Branch – Water Permits Division

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From: Webster, David
Sent: Wednesday, May 31, 2017 9:40 AM
To: Nagle, Deborah <Nagle.Deborah@epa.gov>; Kloss, Christopher <Kloss.Christopher@epa.gov>
Cc: Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>; Flannery-Keith, Erin <Flannery-Keith.Erin@epa.gov>; Ford, Peter <Ford.Peter@epa.gov>; Moraff, Kenneth <Moraff.Ken@epa.gov>; Hamjian, Lynne <Hamjian.Lynne@epa.gov>; Johnson, Arthur <Johnson.Arthur@epa.gov>; Utting, George <Utting.George@epa.gov>; Dierker, Carl <Dierker.Carl@epa.gov>
Subject: Reqeust to Stay MA MS4 General Permit appeal

Deborah and Chris,

Region 1 EPA has been requested by a law firm representing two of the appealing parties to stay the effective date of its 2016 Massachusetts MS4 Permit (the MS4 Permit), pending resolution of the ongoing appeal in the United States Court of Appeals for the D.C. Circuit. The

parties are the Massachusetts Coalition for Water Resources Stewardship, Inc. ("Coalition") and the City of Lowell. The request claims the MS4 Permit represents a significant expansion of EPA's authority. The request also sets the stage for the parties to seek stay from the D.C. Court. The effective date of the April 13, 2016 permit is July 1, 2017. The identical MA state permit was not appeal and will go into effect even if the EPA permit was stayed or remanded. We believe the initial steps for the permittees are not significantly different that what they have been doing under the current 2003 permit.

Ex. 5 - Attorney Client / DPP

Thanks,

David Webster